

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

---

EUSTACIO SALAZAR-MARTINEZ, on behalf of  
himself and all other similarly situated  
persons,

Plaintiffs,

10-CV-6257

v.

**ORDER**

FOWLER BROTHERS, INC., JOHN FOWLER,  
ROBERT FOWLER, JOHN D. FOWLER and  
AUSTIN FOWLER

Defendants.

---

By motion dated October 21, 2010, Plaintiff filed a motion to permit a Sur-Reply to address new arguments and evidence in Defendants' Reply to Plaintiff's Opposition to Defendant's motion for summary judgment. Plaintiff has already addressed Defendants' arguments based on Castellanos-Contreras v. Decatur Hotels, --- F.3d at ---- , Docket No. 07-30942, 2010 WL 3816016 (5<sup>th</sup> Cir. Oct. 1, 2010) in his Reply to Defendant's Opposition to his motion to issue notice to the class, and this Court does not find that the new translation of the Declaration of Angelica Maria Nava Piña requires further argument. Therefore, Plaintiff's motion to file a Sur-Reply is denied.

**ALL OF THE ABOVE IS SO ORDERED.**

S/ Michael A. Telesca

---

MICHAEL A. TELESCA  
United States District Judge

Dated: Rochester, New York  
November 4, 2010